



LAWS OF ALASKA

1988

Source

SCS CSHB 361 (Jud) (efd add)

Chapter No.

130

AN ACT

Relating to revocation of a minor's license to drive, traffic offenses by minors, and the definition of driver's license; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 11

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 8, 1988
Actual Effective Date: September 1, 1988

AN ACT

Relating to revocation of a minor's license to drive, traffic offenses by minors, and the definition of driver's license; and providing for an effective date.

* Section 1. AS 28.15 is amended by adding a new section to read:

Sec. 28.15.185. COURT REVOCATION OF A MINOR'S LICENSE TO DRIVE.

(a) A person who is at least 13 years of age but not older than 17 years of age who is adjudicated by a juvenile court of misconduct involving a controlled substance under AS 11.71 or possession or consumption of alcohol under AS 04.16.050 is subject to revocation of the person's driver's license under (b) of this section.

(b) The court shall impose the revocation for an offense described in (a) of this section as follows:

(1) for a first conviction or adjudication, the revocation may be for a period not to exceed 90 days;

(2) for a second or subsequent conviction or adjudication, the revocation may be for a period not to exceed one year.

(c) Upon conviction or adjudication of an offense listed in (a) of this section the court may, upon petition of the person, review the revocation and may restore the driver's license, except a court may not restore the driver's license until

(1) at least one-half of the period of revocation imposed under this section has expired; and

Chapter 130

1 (2) the person has taken and successfully completed a state
2 approved program of drug rehabilitation if convicted of misconduct
3 involving a controlled substance under AS 11.71, or alcohol reha-
4 bilitation if convicted of possession or consumption of alcohol under
5 AS 04.16.050; this paragraph does not apply to a person who resides in
6 an area that does not offer a state approved drug or alcohol reha-
7 bilitation program or a person that the court determines does not need
8 alcohol or drug rehabilitation.

9 (d) Notwithstanding the provisions of AS 28.20.240 and 28.20.
10 250, upon conviction of an offense specified in (a) of this section
11 the department may not require proof of financial responsibility
12 before restoring or issuing the person's driver's license.

13 * Sec. 2. AS 28.40.100(a)(5) is amended to read:

14 (5) "driver's license" or "license" when used in relation
15 to driver licensing, means a license, permit, or privilege to obtain
16 driver's license, whether or not a person holds a valid license issued
17 in this or another jurisdiction, to drive a motor vehicle under the
18 laws of this state;

19 * Sec. 3. AS 47.10.010 is amended by adding a new subsection to read:

20 (d) The provisions of AS 47.10.020 - 47.10.085 do not apply to
21 driver's license proceedings under AS 28.15.185. The court shall
22 impose a driver's license revocation under AS 28.15.185 in the same
23 manner as adult driver's license revocations, except that a parent or
24 legal guardian shall be present at all proceedings.

25 * Sec. 4. AS 47.10.090(a) is amended to read:

26 (a) The court shall make and keep records of all cases brought
27 before it. The court's official records may be inspected only with
28 the court's permission and only by persons having a legitimate inter-
29 est in them. All information and social records pertaining to a minor

1 and prepared by an employee of the court or by a federal, state or
2 city agency in the discharge of the employee's or agency's official
3 duty, including traffic offenses and driver's license action under
4 AS 28.15.185, are privileged and may not be disclosed directly or
5 indirectly to anyone without the court's permission. However, a state
6 or city law-enforcement agency shall disclose information regarding a
7 case which is needed by the person or agency charged with making a
8 preliminary investigation for the information of the court. The court
9 shall forward a record of adjudication of a violation of an offense
0 listed in AS 28.15.185(a) to the Department of Public Safety, if the
1 court imposes a license revocation under AS 28.15.185. Within 30 days
2 of the date of a minor's 18th birthday or, if the court retains juris-
3 diction of a minor past the minor's 18th birthday, within 30 days of
4 the date on which the court relinquishes jurisdiction over the minor,
5 the court shall order sealed all the court's official records, infor-
6 mation and social records pertaining to that minor, as well as records
7 of all driver's license proceedings under AS 28.15.185, criminal
8 proceedings against the minor and punishments assessed against the
9 minor except for traffic offenses. A person may not use these sealed
0 records for any purpose except that the court may order their use for
1 good cause shown or may order their use by an officer of the court in
2 making a presentencing report for the court.

* Sec. 5. This Act takes effect September 1, 1988.